## **EXHIBIT 4**

## TO THE 9/27/19 STERN DECLARATION



From: Rebecca.Rabenstein@lw.com

Sent:Thursday, September 5, 2019 7:58 PMTo:Timothy Shannon; Ben Stern; Jennifer HarrellCc:ASTELLASASTELLASV.IMSTEM.LWTEAM@lw.com

Subject: Astellas v. ImStem, No. 1:17-cv-12239-ADB (D. Mass.) -- Answer to Amended

Counterclaims

**Attachments:** 2019.09.05 DRAFT\_Astellas Answer to Defendants' Amended Counterclaims.pdf

Tim and Ben,

First, as discussed with Ben last week, attached is Plaintiffs' proposed Answer to Defendants' Amended Counterclaims, which adds a nearly identical affirmative defense of statute of limitations as the one you added to your Amended Answer. Please confirm that you consent to this addition and we will finalize and file.

Second, please let us know when you are available tomorrow, Sept. 6, or Monday, Sept. 9, for a meet and confer regarding Plaintiffs' proposed motion for leave to amend our Complaint. In that motion, Plaintiffs will be seeking leave to add correction of inventorship claims on ImStem's recently allowed patent application and a breach of contract claim.

We are happy to circulate a calendar invitation with dial-in information once we have settled on a time.

Best, Reba

## Rebecca L. Rabenstein

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